

EXHIBIT 13

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARBUTUS BIOPHARMA CORPORATION)	
and GENEVANT SCIENCES GmbH,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 22-252-MSG
)	
MODERNA, INC. and MODERNATX, INC.,)	HIGHLY CONFIDENTIAL –
)	OUTSIDE COUNSEL’S EYES ONLY
Defendants.)	

**PLAINTIFF GENEVANT SCIENCES GMBH’S
RESPONSES AND OBJECTIONS TO DEFENDANTS MODERNA, INC.
AND MODERNATX, INC.’S THIRD SET OF INTERROGATORIES (NOS. 11–13)**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the applicable Local Rules of the U.S. District Court for the District of Delaware, Plaintiff Genevant Sciences GmbH (“Genevant”), by undersigned counsel, hereby objects and responds as follows to Defendants Moderna, Inc. and ModernaTX Inc.’s (collectively, “Moderna” or “Defendants”) Third Set of Interrogatories (Nos. 11–13).

GENERAL OBJECTIONS & OBJECTIONS TO DEFINITIONS

Genevant incorporates the General Objections and Objections to Definitions provided in Plaintiffs’ Responses and Objections to Defendants Moderna, Inc. and ModernaTX Inc.’s First Requests for Production. These objections form a part of, and are hereby incorporated into, the response to each and every Interrogatory set forth below. Nothing in those responses, including any failure to recite a specific objection in response to a particular Interrogatory, should be construed as a waiver of any of these General Objections and Objections to Definitions.

INTERROGATORY NO. 13

RESPONSE TO INTERROGATORY NO. 13

Genevant incorporates its General Objections as though fully set forth herein. Genevant further objects to this Interrogatory as premature to the extent it seeks expert discovery, as fact discovery is ongoing and expert discovery has yet to begin. Expert discovery will be provided according to the case schedule. Genevant further objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome, including because it requests Genevant to “describe in detail *all* known methods,” “the names of *all* individuals,” “the date those methods were *first* known to Plaintiffs,” and “*any* analytical validation.” Genevant further objects to this Interrogatory as unduly burdensome and disproportionate, given that Moderna has not shown how Genevant’s analytical methods are relevant to any disputed in issue case. Genevant further objects to this Interrogatory as containing numerous subparts representing discrete requests, including because Moderna requests information regarding “known methods,” “the date those methods were first known,” “analytical validation of such methods,” “Identification of the Person(s) most knowledgeable” and “Identification of all Documents,” which is at least five discrete requests. Genevant further objects to this Interrogatory to the extent that it seeks information regarding third-party communications or other information not within Genevant’s possession, custody, or control. Genevant further objects to this Interrogatory to the extent it seeks information that is publicly available and therefore equally available to Moderna as Genevant. Genevant further objects to this Interrogatory to the extent it seeks information that is protected from disclosure by the attorney-client privilege, the work product doctrine, or any other applicable privilege or immunity.

Subject to and without waiving the foregoing specific and General Objections, Genevant states that the lipid content and/or lipid molar ratio of a lipid composition may be determined using liquid chromatography, such as high-performance liquid chromatography (“HPLC”) or reverse phase HPLC (“RP-HPLC”), coupled to a suitable detector, such as an evaporative light scattering

detector (“ELSD”) or a charged aerosol detector (“CAD”). Other methods such as mass spectrometry may also be used. James Heyes and Edward Yaworski are individuals having knowledge about the foregoing methods. Genevant incorporates herein by reference its response to Interrogatory No. 1, including any supplemental responses thereto. Pursuant to Federal Rule of Civil Procedure 33(d), further information responsive to this Interrogatory may be determined from documents that Plaintiffs have produced or will produce and the burden of ascertaining this information is substantially the same for Moderna as it is for Plaintiffs. *See, e.g.*, GENV-00037196–GENV-00039738; GENV-00068821–GENV-00069936.

Genevant’s investigation is ongoing, and Genevant reserves the right to supplement this response in accordance with Fed. R. Civ. P. 26(e)(1).

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CERTIFICATE OF SERVICE

I, Nathan R. Hoeschen, hereby certify that on November 13, 2023, this document was served on the persons listed below in the manner indicated:

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